

A
VINDICATION
OF THE
Church of Scotland?
BEING AN
ANSWER

To a PAPER, Intituled,
*Some Questions concerning Episcopal and Pres-
byterial Government in SCOTLAND.*

WHEREIN
The Latter is Vindicated from the Arguments and
Calumnies of that Author; and the former is
made appear to be a Stranger in that
NATION.

By a Minister of the Church of *Scotland*, as it is now
Established by Law.

L O N D O N,
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A
VINDICATION

OF THE
Church of Scotland

AGAINST A
NEW

SYSTEM OF
GOVERNMENT IN SCOTLAND

BY
JAMES HAMILTON

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THE

PREFACE.

That which is determined concerning all them that will live Godly in Christ Jesus, that they must suffer Persecution, is (and hath long been) the Lot of the Presbyterian Church of Scotland; and a Generation of Men have thus exercised her for many Years by Severities hardly parallell'd among Protestants: And now when their Hands are tyed, that they can no more thus afflict her, their Tongues and Pens are let loose to tear her without mercy, by the most virulent Invectives, and the most horrid Lies and Calumnies that their Wit can invent; there are more ways than one by which the Serpent casteth out of his mouth waters as a Flood, that the Woman may be carried away of it. We hoped in the little reviving that the Lord hath given us from our Bandage, to have had no diversion from feeding the Flocks over which the Holy Ghost hath made us Overseers: But our Adversaries will force us unto a less pleasing Work, which is yet also necessary for the continuance of the Truth and Purity of the Gospel with the People of God. They are the Assaultants, and we must act the part of Defendants, without which necessity I should not have troubled the Reader with the following Sheets. It was judged necessary, not by me only, but by them whose Opinion and Authority I do justly reverence; in obedience to which, it was written five or six Months agoe, but was by several Accidents hitherto kept from coming forth to the Light. We are for Peace (even with them who have not only differed from us, but dealt hardly with us; and are willing to receive such of them as are qualified to be Ministers of the Gospel) but when we speak (yes, tho' we are silent, and neither speak nor act against any of them but such as the Gospel declares to be unfaithful) they are for War; and labour to make us odious to Mankind, but especially to our Rulers.

Beside this Pamphlet, several other Prints have been emitted by these Men, containing partly Historical passages full of Lies and Reproaches, and partly false and spightful representations of our Principles and way: To

The P R E F A C E.

which an Answer, such as they need or deserve, shall ere long be given, if the Lord permit. That this hath not sooner been done, hath been in a great measure caused by the multitude of matters of Fact narrated in them, said to be done in divers places of the Nation, far remote one from another, so all which it was necessary to send for getting a true Account of these things, and there being but one Copy of each of these Books that we could find in all Scotland, the several passages for the divers parts of the Country bechove to be transcribed and dispersed, before Information about them could be had, which could not soon to require a long time; and when these Informations were obtained, some other things fell in, which did yet longer retard the Answer, which is now intended to be hastened as soon as may be. In this matter our Adversaries have used a piece of Cunning, which is, that these Books were spread in England only, where the things contained in them could not be known nor examined: But in Scotland (where most Readers could have discovered the falshood of their Allegations) there never was one of them to be found in a Book-seller's Shop: But veritas non quærit Angulos.

I shall not anticipate what is to be said in answer to the Books mentioned, as also to a Letter of the same strain, very lately come from the Press; only it may be thought strange, that the Men with whom we have to do, should make such Tragical Outcries about their Sufferings, when it may be made appear that in the late Times, when Presbyterians suffered from their hand, any one of many who may be instanced, suffered more Hardship and barbarous Cruelty, than all of them have endured. It is also unaccountable that they should on this occasion so reproach the Church as they do, while very few (not above a dozen, if I mistake not) have suffered by the Sentence of any Church Judicatory, and these for Scandals that no man will have the brow to plead for: And if two or three of them have been censured on slender grounds, as is alledged; not only our Church did give express warning to Presbyteries against this Practice: But the late General Assembly hath Committed it to some of the gravest and most experienced of their number to review such Processes (where Appeal or Complaints hath been made) and to relieve them who are injured. And it is evident to all who know our practices, and can judge of them without partiality, that the Presbyterian Church in Scotland hath at this juncture used all due means to make her Moderation known to all Men, believing that the Lord is at hand, who will judge between us and them who shew such spite against us; to whose Judgment, and to the Censure of unbiassed Men, when they have heard both Parties, and understood our matters, we refer our Cause.

A VINDICATION of the Church of Scotland;
Being an Answer to a Paper, Intituled, Some Questions concerning Episcopal and Presbyterial Government in Scotland; wherein the latter is vindicated from the Arguments and Calumnies of that Author; and the former is made appear to be a stranger in that Nation.

SO apparently weak and inconsequential are the Reasonings of this Pamphleter, that nothing could make it reasonable for a Man who hath few spare hours from more necessary work, to undertake an Answer, except the Advice that the Wise man giveth *Prov. 26. 5.* for we find it to be the Genius of some of his Party, when they find that Scripture and Reason cannot, and Authority will not, support their tottering Cause, to betake themselves to clamorous lies and railing, and charging others, (as sometimes Children do) with the same thing in which themselves are most culpable; as in a late Piece, intituled, *An Account of the present Persecutions of the Church in Scotland by the Presbyterians.* And to write (with or without reason, seemeth to be much the same with them) something that may prevail with their easie and biased Disciples; for some men are more ashamed to say nothing, then to say nothing to purpose.

§ 2. He beginneth in his Title page with some Testimonies of King *James VI.* against the Presbyterians. To which two things may be said: 1. That King *James*, in an after Edition of his *Basilicon Doron*, did declare he meant none but such as *Anabaptists* and *Familists*. 2. We set in opposition to this Assertion, another saying of the same Royal Author, mentioned a little below.

§ 3. His Preface taketh notice of two opposite Narratives concerning Episcopacy; the one to the Act restoring it 1662. the other to the Act by which it was abolished 1689. whether of these contain most Truth and Sincerity, is not to be judged of, but by entring on the Merits of the Cause; and his Pamphlet, with this Answer to it, may con-

contribute some light to it. But that he supposeth Episcopacy to be best fitted to keep out Heresie, is *gratis dictum*: and the falshood of it is manifest, if we accompt Popery to be Heresie; the Abominations of which arose, and grew up under that Government of the Church in this Nation; what might be its effects in other Churches, we do not now consider. And our Experience may inform us what steps have been made, not only toward the Superstitions, but even the Doctrines of Popery under its Wings, since its restauration. And how Arminianism hath been warmed, and got life by its influence in Scotland, is too well known. He cannot be ignorant of what K. James VI. (whose Authority in matters of Truth, he often brings as an Argument) used to say of Presbytery, as managed in Scotland, *That no Error could get footing there while Kirk-Sessions, Presbyteries, Synods, and General Assemblies stood in their force.* What evil speaking and reviling there is in the *Brief and True Account of the Sufferings of the Church of Scotland*, occasioned by the Episcopalians since the Year 1660. I know not, not having seen that Book: But I am sure his Parry is in *mala fide* to challenge it, their stile being such to the Life, not in this Pamphlet only, but especially in those before mentioned.

§ 4. The first of his Questions is, *Whether Presbytery (as contrary to the Episcopacy restored in Scotland 1662.) was settled by Law, when the Protestant Religion came to have the Legal Establishment in that Kingdom?* Which Question may be two ways understood, and neither of them much to his purpose: either, whether the Protestant Religion, when it was settled by Law, found Presbytery already established; which is a foolish Question; for who ever heard of Presbytery under-regnant Popery; we deny not Episcopacy to be as old as Popery: or, whether Protestantism and Presbytery were by Law established at the same instant: neither is this Question to the present purpose; for it is enough to shew the Opinion of the Church of Scotland (as soon as reformed) about Church Government, if our Adversaries cannot make it appear that she chused to be governed by Bishops: And if we can shew that Presbytery was the Government practised in her from the beginning of the Reformation; and that it was by Law established, as soon as any fixed Government could be settled. And good Reasons may be given why it was not done at the very first. *First*, The Errors and Idolatry of that way were so great, and of such immediate hazard to the Souls of People, that it is no wonder that our Reformers minded these first and mainly, and thought it a great step to get these removed, so that they took some more time to consult about the reforming of the Government of the Church. *Secondly*, It was im-

possible at first, when the Nation was scarcely crept out of Popery, to get a competent number of Ministers and Elders, who might manage the Government of the Church; but this behoved to be a work of time: But what they did in this, and what was their Sentiments about Church Order, we shall after have occasion to discourse.

§ 5. Toward the Resolution of his first Question, he tells us, in several particulars, wherein all the dispute is, that is intrinsic to the Notion of a Church Government; which his Question he stateth with no great shew of understanding in these Controversies. But that I insist not on, that which is here chiefly to be observed is, that he overlooketh that which is the chief (yea the only) Question, on which our Controversie with the Prelatists doth turn; *viz.* Whether the Government of the Church should be in the hands of a single Person, or of a Community? whether the Rulers of the Church ought to manage that Work in parity, or one should manage it as Supreme, and the rest in Subordination to him. The distorted notion of a Moderator in Church Meetings that he hath taken up, seemeth to mislead him in this matter; for we will not yield that the Moderator, *qua talis*, is a Church Governour, nor that he hath any Jurisdiction over his Brethren; his power is merely *ordinative*, not *decisive*; to be the Mouth of the Meeting, not to be their Will or commanding Faculty; to keep order in the manner and managing what cometh before them; not to determine what is debated among them. The Author talketh at random, not knowing what he saith, nor whereof he affirmeth, when he speaketh of our election of a Moderator, as done *by the Clergy* (as he speaketh) *Lay-Elders and Deacons*: For where was it ever heard of that Deacons had a Vote in Presbyteries or Synods, among Scotch Presbyterians; we count them (though they are Officers of Divine appointment, yet) the Servants of the Church, not her Rulers; they are employed about her Goods, not in the Government.

§ 6. He asserteth that the Protestant Religion was by Law established in *Anno* 1567. and the Constitution of Bishops remained as the Legal establishment, and that Presbytery was not legally settled till 1592. His proofs for this, and Objections that he obviateth against it, I shall consider, after I have given a true Historical Account of the being and establishment of Presbytery in this Nation. Two things we maintain as to this; the former is, That not Episcopacy, but a Government managed by the Teachers of the Church acting in commune, and in parity, had place in the Church of *Scotland* with its first Christianity, and some Ages after. The other is, That not Episcopacy, but Presbytery, was the Government of the Church of *Scotland*.

land as soon as it was reformed from Popery. For the former, Though we assert not that the first Christians in Scotland had Presbytery in all the Modes of it, as we have; neither can we attain the distinct Knowledge of the Actings of these Times by any Records that are left us; yet that there was a Parity, and no Prelacy among the Church Rulers in Scotland: For all agree that *Donald* (who entered upon the Government in the Year 199.) was the first Christian King in Scotland, though it is rationally thought, by the best Historians, that Christianity was embraced by many of the people before that: And *Baronius* affirmeth, That the Scots received the Christian Faith from Pope *Victor*; (had he said in his time, we should have assented fully, but what he saith is enough to our purpose) who was Bishop of *Rome* from 194. to 203. And it is clear from *Baronius*, and the current of Historians, that *Palladius* was the first Bishop of the Scots: (*Spondan: exit Annal. Baron. ad Annum Christi 431. p. (mibi) 592. hath these words; Sanctus Prosser missum ait Palladium ordinatum primum Episcopum ad Scotos.*) He was sent thither by Pope *Celestine*, who ascended that Chair Anno 424. So that the Scotch Christians lived without Bishops for about 320 years, until Popery and its Appendices did overspread the World. What is alledged by some, that *Palladius* was sent to convert the Scots, is contrary to *Beda*, who tells us *lib. 1. cap. 13.* that he was sent *ad Scotos in Christum credentes.* And what others alledge, that he was sent to the Irish in Ireland, who then were called *Scots*, is without ground. For 1. *Beda Hist. lib. 1. c. 12.* sheweth whom he meaneth by *Scots*, to wit, those that were separated from the *Britains* by the two Seas, which he sheweth to be *Clyde* and *Forth*. 2. *Patrick* was sent to them at the same time; viz. *Palladius* was sent to Scotland Anno 431. and *Celestine* died in the beginning of 132. who yet sent *Patrick* to Ireland; and there is sufficient ground for this from *Balaus* (cited by Sir G. *Mekenzie* against *Sr. Asaph*) where it is said that *Palladius* was sent to Scotland; that *Claruit Anno 434.* and therefore could not dye to make room for *Patrick* in Ireland, 431. and that he died at *Fordon* in the *Mernes* in Scotland. *Allo Terrullian*, who lived in the beginning of the Third Century, speaketh of the Scots as then Christians; & *Britannorum Romanus inaccessa loca Christo vero subdita*, which *Baronius* applieth to the Scots; and to no other in that Isle it can be applied. *Spanhem. Epit. Isg. ad Hist. N. T. Saecul. 3. Sect. 2. disticton hoc dicit esse Vulgatum.*

Christi transactis tribus Annis atque ducentis

Scotia Catholicam caput habere fidem.

Besides this, it is clear from *Beda Hist. lib. 3. c. 25. & lib. 5. c. 16. & 22.* how averse the Scots were from the practices of the Romish Church in the

the Observation of *Easter* and the *Tonsure*. And that Venerable Author taxeth them as ignorant of the *Canons*; and that they know nothing but the *Writings of the Apostles*: Which may give good ground to think, that it was long before that Church-Domination, *Prelacy*, which at last they were forced to submit to, got place among them.

§ 7. That *Bishops* were settled in *Scotland* with the beginning of Christianity, *Arch-Bishop Spotswood* doth boldly assert, but doth not bring any *Vouchers* for what he affirmeth: Neither doth he name any one of these *Bishops* till *Amphibalus*; who (he saith) *saw first Bishop in the Isle Iona, or Icolmkill*. But this was long after Christianity came into *Scotland*; to wit, all the time was now lapsed that the *Culdees* remained in the *Isle of Man*, where *Craibelinus* (little less than a hundred Years after *Donald*, and the entrance of Christianity) built a Church for them, called *Fannum Sodirensis*; so that they were at least above a Hundred Years without a *Bishop*. Again, *Spotswood* is alone in this, all other *Historians* making *Palladius* the first *Bishop*. Neither is there any ground to think that *Amphibalus* was in any degree of Jurisdiction above other *Culdees*, but that he was a Famous Man, and the first of them that is expressed by Name in History. This Author telleth also of other *Bishops*, but giveth no ground to believe any more of them, than that there were Men so named, who were Famous among the *Scotch* Christians, and it is like were their Preachers. We conclude then that the Christian Church of *Scotland* was governed by the *Culdees*, who are sometimes called *Priests*, sometimes *Monks*, sometimes *Bishops*. Neither is there any ground to think that this Name was appropriated to any of them, excluding the rest, till *Palladius* came to *Scotland*; far less that any of them had Jurisdiction over the rest: What may be met with concerning any Famous Man that was Head over the Society at *Icolmkill*, or elsewhere, maketh nothing for *Episcopacy*, for he was there the Head of a School, where Students were bred for the Ministry; but that he had Jurisdiction over the *Culdees*, who either there, or through the Country, preached the Gospel to the People, hath no semblance of truth. Yea, we further assert, that however a *Prelacy* (together with other *Romish Innovations*) was brought into the *Scotch* Church with *Palladius*; yet *Episcopacy*, as our Pamphleteer pleadeth for it, and as it was lately in *Scotland*, was not known in this Church for a long time after. For *Constantine* the Second, King of *Scots*, in the Ninth Century, made a Law against Church-men's meddling with Secular Business; so that they could not sit in Parliament: And it was *Malcolm* Canmore, in the Eleventh Century, who, as he brought in new Tides of Honour

into the Civil State, so he changed the Discipline of the Church, and brought Episcopacy to us.

5. 8. The second thing that we above have asserted, is, That when the Reformed Religion was brought into Scotland, and Popery cast out of it, this Protestant Church was not settled under Episcopal Government, but under Presbytery, and did so continue for many years; till by the secret practices, and at last by open force of ambitious men, the Government was changed, to the great disquiet of the Nation. Although the knowledge of the Truth did begin privately to creep into Scotland, and spread among the People more early, even in the Reign of K. James the Fifth, and made greater advances under his Daughter Queen Mary; yet the first publick step of the Reformation that is found in History, was in 1540. when, in a Parliament, the rigour of Acts against them who have English Bibles, was taken off, and liberty was granted to read the Bible in their Mother-Tongue, also to translate Testaments: this was 1544. After this, for divers Years, many of the Nobility, Gentry, and Commons, owned the true Religion, tho' the publick Profession was still Popish: Yea, by many of the Nobility and Gentry a Bond was solemnly entred into, for the defence of the Truth, and adherence to it, Anno 1557. In the same Year the Queen granted Liberty for Publick Administration of the Word, and Sacraments, as was desired by a Petition of the Protestants. Anno 1559. the Protestant Ministers and People held a General Assembly at St. Johnstone, (saith Knox, Hist. lib. 2. 137. at which J. Knox was present. All this while there was no Episcopal Authority owned or submitted to among the Protestants; however Bishops still retained their places in the Romish Church, and in the State. In the Year 1560. July 17. in a Parliament held at Edinburgh, the Confession of Faith, containing the Heads of the Protestant Religion, was by Law established; August 24. an Act pass against saying of Mass. The same Year the Pope's Authority in Scotland was abolished by Act of Parliament. Anno 1561. the first Book of Discipline was presented to the Convention of Estates, but delayed and not approved nor condemned at that time; yet soon after it was approved by the Authority of the Council, and in it Presbyterian Government approved; for it owneth no fixed Officers in the Church, but Pastors, Teachers, Elders, and Deacons, (what is to be thought of the Superintendents therein mentioned, is after to be considered) this Discipline, and the Book containing it, was subscribed to in January 1561. (1560. *stile veteri*) by a great part of the Nobility. December 1560. a General Assembly was held, where sat no Church-

men but Ministers. Another General Assembly was held *Decemb. 25. 1562.* where Bishops are so far from Church-Domination, that they and other Ministers, who had not entered by the Order in the Book of Discipline, are inhibited till further Tryal. 1563. A General Assembly at *Porb* about the end of *June*, gave the same Power, or Commission, for planting Kirks, suspending, depriving, transplanting Ministers, &c. to some Ministers, that had been given to Superintendents: And it is noticed by the Historian, that Presbyteries were not yet constituted because of the scarcity of Ministers. What is there in all this that looketh like Episcopal Government? Another General Assembly met *June 1565.* also *Decemb. 25.* of the same Year; where the Power of Superintendents was a little clipped; also about the end of *June 1567.* At a Parliament held at *Edenburgh, Decemb. 15. 1567.* several Acts were made about Church Affairs, where not only mention is made of Synods and General Assemblies, but Appeals allowed to the latter, and from it Appeals are forbidden; and a Commission appointed to enquire into what Points should belong to the Jurisdiction of the Church, and all Church-Jurisdiction forbidden but what is, or shall presently be established. Another General Assembly *Decemb. 25. 1567.* also *July 1568.* in both which Superintendents were censured; and a Bishop (to wit, who had been such) deposed from the Ministry. In the last Assembly it is appointed who shall Vote in Assemblies, and not one word of Bishops. Another Assembly *July 1569.* Another *March 15. 1570.* where Order is set down about chusing the Moderator, there was no Prelate to pretend to that Privilege. Another in the beginning of *July 1570.* Another in the beginning of *March 1571.* where again Superintendents are limited. In *January 1572.* a Convention of Church men met at *Leith*, who were too much influenced by the Court: The Council also with the Regent appointed Articles to be drawn for the Policy of the Kirk, and after approved them: By them was restored the Image of Prelacy, (yet the real Exercise of Presbytery, in all its Meetings, lesser and greater, continued and was allowed) for these called *Tulchan Bishops* were set up; who had the name of Bishops while Noblemen and others had the Revenue, and the Church had the Power. This cannot be pretended to be a restoring of Prelacy, more than of Popish Abbacies and Priories, which were then the same way brought in. This Constitution was never allowed by the General Assembly, and it lasted but three or four years; and as a Corruption was protested against by the General Assembly 6th. of *August 1572.* In an Assembly at *Edenburgh March 6. 1573.* *David Ferguson* was Moderator, tho' neither Bishop nor Superintendent.

intendent. Another Assembly August 6. Mr. Alexander Arbuthnot, Principal of the old Colledge of *Aberdeen*, was Moderator. Assembly 1574. concluded that the power of Bishops should be no more than that of Superintendents. In many of these Assemblies the Policy of the Church was revised and still carrying on toward perfection. After this, in other Assemblies pains was taken to perfect the Policy of the Church, which at last came forth in the Second Book of Policy, agreed on in the General Assembly *Octob. 25. 1577.* Also 1578. at several Assemblies Acts were made against Bishops, the revising of the Book of Policy was delayed in a Parliament at *Sterling Castle 1578.* called the Imprisoned Parliament. General Assembly *July 13. at Dundee 1580.* condemned the Office of Bishops as unlawful: Another at *Edinburgh Octob. 20.* appointed a platform to be drawn for *Presbyteries.* 1581. The second Confession of Faith was subscribed by the King and his Household: Where Episcopacy is condemned under the Name of the Hierarchy, it being declared that no other Church policy was to be allowed save that which then was used, which every one knoweth was *Presbytery.* The same Year the Assembly caused Registrate the Book of Policy among their Acts. In *May 1584.* some Acts of Parliament were made, derogating from the Liberties of the Church, but so little weight was laid on them, that by the King's Command some Ministers were appointed to make Animadversions on them, to which the King answered, explaining and smoothing most of these grievous Acts. In the Assembly 1586. Commissions for Visitations were taken from Bishops, Superintendents, and others, and the Church in several Meetings declared against Prelacy. Much Contention there was between the Church in her lesser and greater Assemblies, and a Court-Faction, about Prelacy, which yet was never re-established; but at last in the Parliament begun 29 of *March 1592.* it was utterly abolished, and *Presbyterial* Government fully settled; which Arch-Bishop *Spotwood* in his History, tho' he cannot deny, yet doth most disingenuously labour to obscure.

§. 9. Let us now consider what grounds the Pamphleter lays for his Conclusion, and what is the Conclusion he buildeth on them; the latter of these I first consider. In it I observe first, he is out in his Arithmetick; for between 1567 and 1592. are not 35 but 25 Years. Another thing to be observed is, that it can make nothing for his Design, that *Presbyterian* Government was not presently established by Law with the Protestant Religion, because then the Nation having so lately been wholly Popish, and but few of the Clergy, or other Learned Men, converted to the True Religion, there could not be a

compe-

competent number of Ministers got, who were tolerably qualified, either to rule the Church or to administer other Ordinances: and the space of 25 years was not long for growing up of such an increase of useful Plants as might furnish Churches and constitute Presbyteries every where in the Nation; especially if we consider what opposition was made to this settlement by the Court and its dependents; and how some unfaithful preachers complied with the Court, in hope of preferment from the year 1584. it was rather to be wondered at, that this work was so speedily brought to such issue, and through such opposition. Let him make what advantage of his conclusion he can: it is evident from what hath been said, that Episcopacy never took place in the Protestant Church after the Reformation, till Presbytery was fully settled: also that the Inclinations of the protestant people of Scotland (to speak in the dialect of our time) were always for Presbytery, and strongly against Prelacy: and that whatever the State did to retard this work, the Authority of the Church was always on the side of Presbytery. It is also evident, that Episcopal Jurisdiction over the Protestants was condemned by Law in that same Parliament, 1567: wherein the Protestant Religion was established: for it is there *statute and ordain'd, that no other Jurisdiction Ecclesiastical be acknowledged within this Realm than that which is, and shall be within this same Kirk, established presently, or which floweth therefrom, concerning preaching the Word, correction of Manners, administration of Sacraments.* Now I hope none will affirm, that prelatical Jurisdiction then was, or was soon after established in the protestant Church of Scotland.

§. 10. The Foundations on which he buildeth his Conclusion make as little against what we hold: he saith, *the Constitution of Bishops, having then the Publick Authority, (the Popish Bishops sitting in the Parliament which sealed the Reformation) must in the Construction of the Law be confess'd to remain firm from 1567, to 1592.* Ans. It is not denied, that the Constitution of Bishops, in regard of their Temporalities, (such as sitting in Parliament, &c.) remained after 1567. yea, neither do we say that, that Law took from them the Authority they had over the Popish Church, (so far as then 'twas in being) for this Law did not pretend to unbishop them, or make them no Priests; nor did it touch their pretended *Indelible Character*. But it is manifest, that after this Law they had no legal Title to rule the Protestant Church: and that by this, nor any other Law, no other Bishops were put in their room for the ruling of the Church. To what he saith of the Popish Bishops sitting in a reforming Parliament, I oppose what *Leslie*, Bishop of *Ross*, a Papist, hath, *De gest. Scottorum*, lib. 10. pag. 536. that *con-*
lum

lium à secta populi cum Regina habito nulli ecclesiastico admissio, ubi sanctum, ne qui quod ad religionem attinet, quicquam novi, moliretur; ex hac lege (inquirit) omnis sive hæresis, sive inimicitiarum, sive seditionis malum tanquam ex fonte fluxit. Another thing he alledgeth (or rather insinuateth) viz. in the 1st Book of Policy, a Superintendency, (which is another Model of Episcopacy) was set up. Ans. It is true, the Protestant Church of Scotland in its infancy (it was neither by an Act of Parliament that it was brought in, nor that it was after cast out) did set up Superintendents, but this was truly (and was so declared to be) from the force of necessity, and designed only for that present exigency of the Church. Neither was it ever intended to be the lasting way of managing the Affairs of that Church. At that time it was hard, in a Province, to find two or three men qualified for any more work toward the edifying of the Church, than reading the Scripture to the people, and therefore they found it needful to appoint one qualified man in a Province, (and at first fewer, only five in all Scotland) who had Commission from the Church to go up and down and preach, to visit Churches, to plant and erect Churches: they acted only as Delegates from the Church, and were accountable to every General Assembly; where they were frequently censured: and ordinarily the first work in the Assemblies was to try their Administrations: as the number of Ministers grew, their power was lessened, and at last wholly taken away: their Commission was renewed often: other Commissioners also beside them were sometimes appointed with the same power. They were never designed to be instead of Bishops; for they did not keep to the old division of the popish Diocesses. They might not stay above 20 days, in one place, in their Visitations: they must preach thrice a Week at least. In their particular Charge they must not remain above three or four Months, but go abroad to Visitation again; they must be subject to the Censure of the Church, in her provincial and general Assemblies. All this considered, let any one judge with what candor our Author calleth a Superintendency, a New Model of Episcopacy. It is evident from our Church Histories, that the Protestant Church of Scotland was so far from that sentiment, that they had a strict eye over Superintendents, lest their power should have degenerated into a lordly Prelacy: and that they laid aside the use of Commissions to Churchmen, and giving them such power, as soon as the Church could be provided with such number of Ministers as was needful.

QUESTION II.

HAVING brought his first Question to so wise a conclusion, he advances to a second, which is,

Whether ever Presbytery was settled in the Church of Scotland, without constraint from tumultuous times?

What advantage to the Cause of Prelacy, or detriment to Presbytery is designed by this Question and the Answer of it, is not easie to divine. Is every thing bad that hath been done in tumultuous times? Doth not the Lord say *Daniel 9. 25. That he will build his House in troubled times?* Will this man therefore condemn the Reformation from Popery in Scotland for this, That it was settled against the will of the Queen, and the popish Grantees, and some pretended; but unfaithful Protestants, in a very tumultuous time? It may be he will; and his Citation pag. 4. out of *Basil Dor. Lib. 2.* seemeth to import no less; But if he thence conclude, That Popery is the Truth and Protestantism an Error, we shall then know where to find him: And if he do not, all that he here saith is *extra oleum vagari*. But it may be the strength of his ratiocination lieth in this, That Presbytery was settled by constraint; And these by whose authority it was done, were by the tumult of the people forced to it. Let us a little examine this. First, Is every thing bad that men are forced to? Ill men do few good things willingly, and of their own proper motion: By his way of reasoning the will and inclination of great men must be the standard of good and evil. 2^d, Presbytery had a twofold Settlement in Scotland: One by Church-authority: Alas! searching the Scripture, the General Assemblies of this Church did find Prelacy unwarranted there; And that it was contrary to that Form of Government that the Apostles settled in the hands of the ordinary Office-bearers of the House of God: And this they declared authoritatively in the Name of Jesus Christ: I hope he will not say, that this was done by constraint. Another Settlement it had by the Authority of King and Parliament, giving their civil Sanction to it: Neither can he alledge, That the Parliament was any way constrained to this; Or that any force was put on them: Nothing appeareth but that the Parliament 1592. [which made this Settlement] was as free in the Election of its Members, in their Consultations and Votings, as any that have been since: And some will say, more free than these Parliaments which since have undone what they did. It resteth then, That he must mean, That the King was some way violented in that he assented to this Act contrary to his

his own sentiments and inclinations. But this resteth to be proved : beside, that it is a greater reflection upon the Conscientiousness and Uprightness of that Great and Wise Prince, than is decent for a dutiful Subject to be guilty of.

§ 2. Let us now hear how he will prove, first, That King *James*, Anno 1592 ; Then, that King *Charles*, Anno 1639, Assented to Presbyterian Government unwillingly and by constraint. His proofs are, first, King *James* in *Basil. Dor.* L. 2. p. 28. speaketh with great bitterness against the Presbyterians, and their Way. *Ans.* This doth indeed prove, that he had changed his thoughts of that Way : Not that he was never of another mind. It were not hard to cite words of his, as much to the commendation of Presbytery, as these in *Basil. Dor.* are against it. But that Way, and its opposite, standeth or falleth, by the sentence of a higher Authority than that of men. 2ly, He thinketh it against Reason and Charity, to think, That this being his thought of Presbytery, he would settle it in the Church without some kind of compulsion. *Ans.* It is little more charity to think, That a man of any degree of Conscience or Religion, would have so eminent a hand in plaguing the Church with that which he looked on as so pernicious, as the words cited by our Author do expresse : Yea, the fear of God would restrain one from such an act, even under the highest kind of compulsion. 3ly, He next objecteth the Preamble to the Act for Restoring of Episcopacy, Anno 1606. *Ans.* Who can doubt, that when men had a mind to set up that Government, they would say all the good of it that they could devise, and speak to the disadvantage of the contrary what could be thought upon ; but this signifieth no more, than that they were changed from what once they were ; and they who do so say and unsay, are unfit to give decisive Testimony about any point of Truth. 4ly, He ascribeth K. *James's* assent to Presbytery to his Youth. *Ans.* He was no Child in 1592, having been married to Queen *Ann* three years before, viz. in 1589. He was at least 30 years of age. 5ly, He pleadeth from the unsettled condition of his Affairs : but doth not shew wherein they were unsettled. It's true, the King then had some trouble with the *Earl of Botbwell*, but it is well known that *Botbwell* was no Presbyterian ; and settling of Presbytery could not tend to quiet him : But I am weary of such silly Arguments which deserve no answer. What he maketh the King allow, That the Presbyterians were always ready to join with any Faction in the State : is as groundless as any thing can be spoken : They never owned any but such as owned the interest of Christ, and his Truth. Their appearing against his Grand mother and Mother, was only in defence

fence of Christ's Truth, which these two Queens did labour to extirpate. And what is said of *inordinate and popular Tumults*, reflecteth upon Protestantism, rather than on Presbytery. It's a strange Insinuation that he hath in the end of the paragraph, pag. 4. That *that young King was forced to settle Presbytery in the Church, that thereby he might bring off Presbyterians from joining with the Acts of their Kirk to unsettle his Throne.* Here is Malice twisted with incoherent Imaginations: For nothing but Malice can make any think that Presbytery is an Enemy to Monarchy: but what dirt he casteth on us, of this kind, afterward shall, in its place, be wiped off. It's also a strange fancy, that if K. James lookt on Presbytery as capable by the Acts of their Kirk to unsettle his Throne, that he should put it in that capacity, by settling it by Law, with a design to secure the Throne: It is as if a man should let in the Thief at the door, that he might sleep the more securely in his house.

§ 3. What King Charles says for Prelacy [to which all know that he ever was a constant friend] is much more modest than what we heard before: And we deny not, but what countenance he gave to Presbytery, was in condescendency to his People; Yet from the transactions of these times, we may confidently infer, That the Nation, both in its diffusive and its representative Body, the Parliament, was for Presbytery: And what our Author says of the Tumults of these times, [which were sad, and lamented by all good men] layeth more load on Prelacy: The Tyranny and Innovations of the Church-Rulers of which way did force the people either to see first the purity of Gospel Ordinances taken from them, and then their Religion destroyed by a popish Faction [as of later years appeared more convincingly, when the designs of these men were more ripened] or stand in their own defence. So that what our Author gaineth by this passage is, that Episcopacy raised a Tumult, which ended in its own ruine.

QUEST. III.

THE Scope of his Third Question, and of the Resolution of it, can be no other but to render Presbyterians odious; not to disprove their Cause, nor to reject their Principles: It is,

Whither the Principles of Scottish Presbytery grant any Toleration to Dissenters?

Quis tulerit Græcos de seditione loquentes? His party are, above all men, except Papists, in *mala fide* to blame others in this matter: A-

mong what party of men hath uniformity, and conformity to all the Canons of their Church, and that in things confessed by them to be indifferent [that is needles] been pressed with more severity, imposed by more unmerciful Laws, and urged by more inhumane and cruel execution of them? That there hath been excesses among Presbyterians in this, we deny not; but lament it: *humanum est Labi*: Moderation is not an easie Lesson, nor so often practised, as it should be when men forget that the Lord is at hand: as the best are apt to do, when they are at ease. But all unbiassed men, who know, and have observed the way of the one, and of the other party; while they alternatively had the ascendant, will say, that the little finger of the meanest Prelate, and his Underlings, was heavier than the loyns of the greatest Assembly of the Presbyterian Church: As an impartial and true Account of the Sufferings in both Cases will evince: Which on our part, I hope may be given in due time; But on theirs, an Account is given as remote from truth and candor, as any thing that ever came from the Presb: which it is like e're long may be made evident. But we desire not to recriminate, though necessity is laid on us by their false History of things: far less intend we to retaliate, though it should be in the power of our hand: But we leave our Cause to him that judgeth righteously.

§ 2. It is well that our Adversary is so favourable to that Institution of Christ, The Government of his House by Presbyters without a Bishop; That we own, in that he doth not blame it generally, or in its most extensive notion; Nor Presbytery as such, but as *Scottish*. Let the Ordinance of Christ escape his lash, and we are the less solicitous what he says against the *Scots* in their management of the Government of Christ's House: He knows that *Scotland* is but one, and a small part of the Reformed Church, in which that Government hath been, and is practised. If there be any blame then in the practices of former times, when Presbytery was ascendent, let it be imputed rather to the *præservidum Scotorum ingenium*, (in which they of the other party have far outgone ours) than to the Ordinance of Christ, I mean that Government of his House that we own. But even *Scottish* Presbytery, or that Government as exercised in that National Church, will be able to stand before his Arguments: Though it be hard for any thing, though never so good, to bear up against Lies and Reproaches.

§ 3. He should have considered, That there may be other Dissenters living among Presbyterians than Episcopal men; whereas all that he saith on this Head doth only relate to them: There may be

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a peculiar reason for their not bearing with them who own Prelacy: viz. Because their Church-Government doth necessarily overtop, bring into subjection, and root out that Government of the Church which we own as Christ's Institution: It is against their principle, to suffer Ministers and Elders to live beside them, who will adventure to govern any part of the Church without subordination to the Bishops: And whatever Indulgence hath been, in bypast years, given to Presbyterians, as we know it was designed for no advantage to us, [without judging the secrets of any bodies heart;] so we know, that not only it was not the act of our Church-men; but nothing was more grievous to them, and nothing they did more actively oppose. Notwithstanding, it is the principle and purpose of Presbyterians, not to exclude any of them from their religious Assemblies, nor from any of the Ordinances of God in them, for their principle about Church-Government, wherein they differ from us. And for Ministers among them, we are ready to give the right hand of fellowship, and to admit to all the parts of the exercise of their Function among us, such of them as shall not be made appear to be insufficient, scandalous, or erroneous, or to be void of that holiness of life that becometh a Minister, and who shall be found willing to secure the Government of the Church that we own, and to prosecute the ends of it; and not to exclude any simply for his opinion about Church-Government; though the mean while, we are not willing, that all who will profess to own our Church-way, should have a share in managing it with us; because many such might be a scandal to it, others might betray it; neither can we allow, that any of them should exercise a prelacy over us, or over the people of our charge. Further, Never any Church, or State, gave Toleration to Dissenters from the established Church-way, but as it might rationally be thought a necessary relief to tender consciences: But this reason for suffering Episcopal men to practise their way among us, at this time, cannot, without the greatest impudence and hypocrisy be pretended. For refusing to receive the Ordinances from Presbyterians, because they want Episcopal Ordination: this cannot be from conscience, seeing it was their constant practice, when Prelats ruled this Church: they never required any of them to be re-ordained who had been ordained by Presbyters, and after complied with Episcopacy. Neither can they pretend conscience for having a Worship different from ours (I mean the *English* Liturgy) for when it was in their power to use it, they never did. Wherefore there can be no pretence on which they can plead for toleration in these things; but humor, and design: and I hope it will not (by impartial beholders) be

judged rigidity, if the State deny a liberty to such persons to make such Innovations as never yet could get place in this Church, especially when it is too apparent that they who are most forward for such a liberty, give ground to think, that a design against the present civil Government is at the bottom, they being such as have no liking to the present Establishment.

§ 4. But this Author hath a mind to represent us in other colours: And for a Foundation of this his Essay, he saith, *That the Solemn League and Covenant is the Canon, and the Acts of the General Assemblies, the Comment of the Principles of Scottish Presbyteries.* This is false; the Rule that we Judge by in the Matter of Church-Government, as well as in other things, is the Word of God; and we use no other Comments for our help to understand that Rule, but such as are founded on the Word it self, and which we give sufficient Warrant for. I hope the Reader will look on this loose talk, as Railing, not Arguing. He may know, that Presbytery was long in Scotland before that Covenant had a being. And for Acts of General Assemblies, they are no further our Rule, than they are agreeable to the Supreme Rule, The Word of God; and to the Principles of Right Reason: Neither do we look on them as Infallible, [as he foolishly saigneth, pag. 6.] What he, or any other can make appear in them to be unwarranted, we are ready to disown: And we know they may be changed by the same power that made them; when any thing in them shall be found to be amiss, or inconvenient for the present state of the Church.

§ 5. He quarrelleth with three Articles of the Covenant, viz. The 1st about preserving the Government and Discipline of the Church. The 2^d, that is against Episcopacy and its Dependents. The 3^d, for defending one another in their adherence to this Bond. Let any judge what is here consistent with a moderate and duly limited Toleration of Dissenters: Is there no Toleration of men who hold Prelacy to be lawful without allowing of Prelacy it self, and submitting to its domination. Next he will prove his point from some Acts of General Assemblies; but this he prefaceth first with the *peaceableness of the Prelatick Clergy in and after 1639.* when their Church-Government was destroyed, in that they neither raised Tumults, nor wrote Books. It is true, they raised no Tumults; but they did what they could to raise War for continuing on the necks of the people, that Yoke that they had wreathed on them: And did effectually draw on a bloody War, which had very sad effects, and issued in the ruine of them and Presbyterians too for a time, and shewed well enough to raise Church-Tumults, by their protesting and disobedience to the Sentence of the Church:

for

for their not writing Books, who hindred them? Unbyassed men will impute it to somewhat else, rather than to their peaceableness. Another part of his Preface, That *they were not suffered to continue in their Cures*: This is indeed true of the Bishops as such: They were not permitted to exercise a Prelacy over their Brethren; for that was inconsistent with the Government then established: Yet as Ministers of the Church, none of them were deprived who were willing to preach under Presbytery. And for the rest of the Clergy, none of them were cast out for compliance with Prelacy, but they generally retained their places; wherefore this is a most untrue Allegation. A Third thing he saith is, That *the Presbyterians at the Revolution 1662. were not so dealt with*, that is, were continued in their places: Impudence it self could affirm nothing more false. Were not above the third part of all the Ministers of Scotland [and so in England] thrown out by one Act of Parliament? (For two thirds complied, and by that means kept their places) and the few (in Scotland) that could not be reached by that Act, were laid aside by the Bishops and the Council, by more slow steps.

5. 6. The Acts of Assemblies that he citeth are, Act Aug. 17. 1639. Appointing all in Office in Church, and Schools, and all Members of this Kirk to subscribe the National Covenant. And an Act 1642. for intimating the abovesaid Act, and proceeding to Church-censures against them that refuse such Subscription. And an Act 1644. appointing strict enquiry and censure against disaffected persons to the Covenant: And some other Severities he mentioneth (truly or falsely I know not, for he doth not direct where such Acts may be found) which may be acknowledged as no Pattern for after-ages to go by. It is like if that Oath of God had been less universally, and less severely imposed, it had been better kept by many. What he alledgeth, That *the Assemblies, Aug. 1642. do order the persons of them who are Excommunicated, to be imprisoned, and their Goods to be confiscated*, is most false; never any Assembly in this Church did make Laws for Civil punishments. All that I find to this purpose (for he is not pleased to be distinct in his Citations) is, that August 3. 1642. the Assembly Petitioned the Council to put the Law in execution against Excommunicated Papists. All this considered, I hope the Impartial Reader will not be imposed on, by what this man hath said, to think that the Principles of Presbyterians are inconsistent with what Toleration is due to Dissenters: Nor will blame them, that they are not for a vast and boundless Toleration, nor because *they cannot bear them who are evil, but do try them who say they are Apostles, and are not, and find them liars*, Rev. 22.

QUEST. IV.

Whether from the Year 1662, to the Year 1689, Presbyterian Separatists were guilty of sinful Separation?

A Wise Question indeed: He supposeth them Separatists (which by no Author was ever accounted *vox media*, or taken in a good sense) and yet Querieth, whether they sinned in separating. But to let this pass; he telleth us of *Doctrines taught in our larger Catechism, from which may be demonstrated, how necessary it is to Salvation, that every Person keep Communion with the particular Church established by the Laws of the State that he liveth in, unless she either enjoy in her Canons any sinful term of Communion, or propose in her Confession any Heretical Article, or prescribe in her Directory for Worship any Idolatrous Impurity.* To this I re-
 ponne a few things. First, according to his loose and indistinct way of Writing, he neither telleth us what these Doctrines are, nor in what place of the Catechism they are to be found; we must take his Word for all this, and we utterly deny what he saith to be true. All that that Catechism saith, that could be imagined to have that tendency, is, *That the visible Church hath the Priviledge of being under God's special Care and Government, of being protected and preserved in all Ages, notwithstanding the Opposition of Enemies, and of enjoying the Communion of Saints, the ordinary means of Salvation, the offers of Grace by Christ to all the Members of it in the Ministry of the Gospel, testifying, that whosoever believeth in him shall be saved, and excluding none that will come unto him.* Now it is evident, that all this is said of the Universal Church, not of any Particular Church; far less can this passage be understood of a particular Church *as established by the Laws of the State wherein it is*: No Scripture ever made such Laws essential to the Notion of a true Church, from which none may separate: Neither did ever any Divine talk at this rate, except Episcopalians, and among them I remember of none, that so express themselves, but this Man, and Dr. Stillingfleet. He doth indeed express three Cases, that excuse from sin in separating from a true Church, but how these can be drawn from the Larger Catechism I understand not.

§. 2. How far we allow a Separation from the late Episcopal Church of Scotland, and maintain it not to be sinful in us, but sinfully caused by them, I shall declare: We affirm it to be no Schism, but a necessary Duty, that the Presbyterian Ministers did not own Episcopal Government, nor either directly or indirectly countenance the Authority of Bishops above Presbyters: He telleth us of a Letter for Union,
 March

March 1689. wherein it is said (and not answered) that never any Confession of Faith in our Reformed Church avowed a Divine Right for a parity among all Church-Officers. This Letter I never heard of before, but it seemeth the Author of it, and the Writer of this Pamphlet, have Talents equal for Controversial Scribbling: For whoever said that there is a Divine Right for Parity among all Church Officers? We know that by Divine Right Ruling Elders, also Deacons, are not equal in Church-power with Preaching Presbyters. And for the parity of Ministers, if it be not found in any Confession of Faith, it's enough that it's found in the Scriptures. But we affirm that the Divine Right of it is also found in the Confession of Faith, sworn to by the King and his Household, and by the Nation, wherein they abjure the Hierarchy, or distinction of Degrees among Ministers. He saith, *the Solemn League did not abjure the President Bishop.* Answer, We know no such Bishop, the President or Moderator hath no Jurisdiction over his Brethren. And he will not say, that the Bishops restored 1662, to whom we could not yield subjection, was no more but a President Bishop; if he do, all the Nation will cry shame on him, and his own Tongue will condemn him. Page 1, 2. of his Book, *What some in England Petitioned for*, we are not concerned; if he had told us what concessions the body or generality of Presbyterians in that Nation had made, also let us know where we might find such Concessions, an Answer might in that case have been expected from us. But what he presumeth about the *Repentance of Scots Presbyterians for not submitting to Episcopacy as established in Scotland*, is without ground, and absolutely false.

§. 3. What we further declare concerning the Separation that he speaketh of, is, that *Presbyterians* generally did not think it unlawful to hear these Ministers that had complied with Episcopacy; and often did occasionally hear them (whatever was the practice of some among us) yet the best of the Ministers in *Scotland*, and to so great a number, and to whom the people were under a relation as their Pastors, being thrust from their Charges for their faithfulness in that time of Tryal, and others being obruded on them, many of whom were very unqualified for the Ministry, and they entering without the peoples call or consent, they would not own them for their Pastors, nor thought themselves obliged to wait on their Ministry; but thought it their Duty rather to hear their own faithful Pastors (or others who walked in their steps) who were not unministed by any Church-Act, but only restrained by the force of a Civil Law, which could neither derogate from their Ministerial Authority, nor loose the relation that the people had to them. I deny not but some went beyond

yond the limits of this Moderation; but that is not to be imputed to all the *Presbyterians*, being neither the conclusion of any Church-meeting among them, nor the sentiment of all.

§. 4. This being considered, taketh off the edge of all that he enlargeth on about the Episcopal party agreeing with us in the *Confession of Faith, Directory for Worship, and Administration of Sacraments*: For it is on none of these accounts that we withdraw from them; but partly because they suffer none to be Ministers among them, but such as comply with Episcopal Jurisdiction; partly because they deprived us of the Ministers that we stand in relation to, and ought to own; partly because the Ministers obtruded on us are none of our choice (as they ought to be by the privilege that Christ hath given to his Church:) And indeed (many of them) unfit to be chosen; and partly because this change is made not by any Church-Authority that we can own, but by the State, and by an unlawful Church-power. It seemeth his Arguments are run low, which he chargeth us with *Nonconformity even to the Presbyterian Church, in that we use not the Doxology, nor the words of the Lord's Prayer, nor the Belief as Baptism*: For when or where were these enjoined by the *Presbyterian Church*? And if they had been, we cannot by such Injunctions be bound to what is after found to be inconvenient: That we are tied to the use of the *Doxology by the Covenant*, he doth most ridiculously affirm: For whoever esteemed that a part of the Reformation then engaged to? Using the Lord's Prayer we never condemned; but that Christ hath enjoyed the using of these express words, or that that Prayer was given as a form of words rather than as a Directory for the manner of Prayer, we deny: Neither do we condemn the use of the Creed; but we think that they who have their Children baptized, should profess their Faith so as may more clearly distinguish them from Popish and other Hereticks than that Confession of Faith can do.

QUEST. V.

In this Question he advanceth a Paradox. The Question is, *Whether the Penal Laws against Scotch Presbyterians, had any thing of Persecution in them?*

THIS Question he concludeth Negatively, with the same brow that *Maimburg*, and other French Popish Writers do affirm, That all the Protestants who lately in France turned Papists, did turn voluntarily, without any compulsion; and that no Rigour nor Persecution hath been used to move them to this change: This is a degree of effron-

frontedness, of bidding Defiance to Truth, and the God of it; of bold imposing on the Reason, yea, and the common Sense of Mankind; that the World doth purely owe to this Age, and to Jesuitical obfcur-
 mation of mind. But let us hear how he will prove this his strange
 assertion: As these Laws have beat out the Brains of many good Chri-
 stians, that could not comply with them, so this Man thinketh by his
 Arguings to beat out of the brains of such as remain all Sense and Rea-
 son, whereby they may judge of what they hear, see, and feel. In
 clearing the state of his Question, he confesseth, *There may be too se-*
vere Laws, under which men may suffer for Conscience-sake; (this will in-
 crease the wonder of intelligent, unbiassed men who know our Af-
 fairs, that such Laws are possible, and yet ours are innocent) but ma-
 keth the Question to be, *Whether our Laws were not necessary for pre-*
serving true Religion and publick Peace, or whether they were the uncha-
ritable effects of a peevish Resentment, inconsistent with good Nature and
Christianity. Tho' even that cloak of smooth words will not hide the
 nakedness of the Bloody Laws that he pleadeth for; nor could war-
 rant a man that believeth Heaven or Hell, to plead for such cruel Ex-
 ecution of them as was among us: Yet this state of the Question is
 not the same with what in the Title is proposed: For there have been
 few Persecutions in the World for which Necessary hath not been pre-
 tended, and that were given forth to be *for preserving a false Religion,*
 or for hindring publick Peace; or that the Actors in them would call
peevish and inconsistent with good Nature and Christianity, or Moral Good-
ness. And it is certain, that where publick Peace may be preserved
 without such severe Laws, the enacting of them is Persecution; which
 was our case: for nothing caused the sad breaches of the Peace that
 were in this Nation in 1666. and 1679. but the unsupportable Hard-
 ships (tending to make *wise men mad*) that they who feared God lay
 under by the severity of these Laws, and the Barbarity used in execu-
 ting them.

§. 2. To vindicate the Laws from all blame of Persecution, he gi-
 veth a lame, unjust, and disingenuous account of them. Wo to Po-
 sterity if they be abused with such false History; it is little Honesty
 to transmit such things to after-ages; but it is the height of Impudence
 to publish them among such as were Eye-witnesses of them, and a-
 mong whom the sad effects of them remain with grief and smarting
 to this day. I shall first examine the account that he giveth of these
 Laws, and then shew how defective it is, by supplying what he hath
 omitted. He telleth a story of the endeavours of the Synod of *Edin-*
burgh to have Presbytery established; and who can blame them, especially

seeing their Attempt was only an Application to a Person of Interest with His Majesty. He telleth us likewise of their sending a Clergyman (whom he will not name) to the same Great Man (who is also nameless) with a threatening Message, *That if they would not settle Presbytery they should have the people let loose upon them.* This story I never heard before, nor know I how to examine the truth of it; neither can I meet with any Person that hath heard of it; and so have more than probable grounds to let it pass as a Forgery: And if it had been true, was this private surmise a sufficient ground for a Parliament to make such Bloody Laws against so great a Body of People as the Dissenters? Men will think it a weak Cause that must be supported by such silly shifts. I take no notice of the Act annulling so many preceding Parliaments and their Acts (tho' this were hard enough) nor of their Act of Restitution of Bishops; it is not the right or wrong of the Acts that we are now considering, but whether they were Moderate or Persecuting. But it is not far from ridiculous that he addeth, *That this Imperious Address from the Ministers* (a private Transaction between two Men, if it hath any truth in it) *should so far influence* a Parliament, as to make them impute all the Evils that he fancieth had fallen out, to the Invasion made on Episcopal Government.

§ 3. He next giveth us account of the effect of settling Episcopacy: And first, in the non-compliance of some of the Ministers, and their being therefore deprived of their Churches and Benefices. And is this no Persecution? How then is it that the World is filled with such outcries in one Print after another, as if the Prelatick Clergy in Scotland were under Sufferings beyond the French Dragooning, because some of them (and but a few of many that are guilty) are deprived by the State for refusing to own the Civil Government under which they live: A Crime never till this day thought consistent with the Being, much less with the Peace of any Government. But these Men have not learned Christ's Precept, *To do to others as they would be done by themselves.* But this Act was not so much Persecution against the Ministers that were laid aside (they suffered the loss of their Livelyhood) as of the Church, and the People whose Souls smarted under a sad loss, considering how many Eminent and Holy Men were among them that were so *ἀπομαρτυρούμενοι* from their Flocks. And what a set of Men were put in their room. If these Servants of God endured no Persecution from the State, I am sure they do from this Man's virulent Pen, who saith, *They forsook their Ministry either because of disappointment of their hope of Preferment, or from love of Ease, and weariness of their Work, or from impatience to be subordinats.* The Lord will

will refute this malicious passage, when he shall come with ten thousands of his Saints, to execute judgment upon all, and to convince all that are ungodly among them, of all their ungodly deeds which they have ungodly committed, and of all the hard speeches which ungodly sinners have spoken against him, Jude v. 14, 15. This Man cannot be ignorant of what is known all Scotland over, without question or contradiction, that some of these Ministers had preferment in their offer, yea, the highest preferment in that Church, and refused it: that they did not consult their ease, but did most laboriously Preach under the greatest hardships and hazards; which is to this day seen in its effects, on the crazy bodies of not a few of them: and if any did otherwise, it was very ill lookt on by the rest; and it is known they were never backward to be subject to Christ's appointments; tho' they cannot (for Conscience-sake) stoop to these of Men, in the Matters of God.

§ 4. Then he telleth us of the compliance of other Ministers; but it is unaccountable which he maketh the motive of some of them, *that the Episcopacy then sealed, was not abjured in the Solemn-League*. Nothing but Ignorance of that Oath, or Impudence to say what one will, could make them say so: it is known, that this was not pleaded by them, but either that that Oath was not binding, or that they had not taken it, and were not bound by the Nations taking of it: and if this were true, what should have stirred the zeal of that party so against that Oath, as to get it abjured, and burnt, in contempt, by the common Hangman. He telleth us next, how the people did comply, till 1663. It is true, hearing the conform Clergy was commune at first, (other compliance was never given; but an entire dislike of Episcopacy was as extensive as any respect to Presbyterian Government was) but after a short tryal, many serious people, who minded the edification of their Souls, found what a sad change they had made, and what want there was of the *godly, learned and grave Men*, that he speaketh of, to supply vacant places: which moved the people to look after better means of edification: I deny not but some run to an excess: but there was sufficient reason for leaving these Intruders when others could be had. And both Ministers and People behoved to take some time to consider what was duty, after they had been for a time stunned with the sad stroak that came upon them. He next giveth account of one of his Innocent Laws; It is *Car. 2. Part 1. Sess. 3. Act 2. Ann. 1663. All who come not to bear their Ordinary, are to pay a fourth part of their yearly Rent: others that had no Land, a fourth part of their moveable Goods: a Burgeis, the fourth part of his Moveables, and the priviledge of his Burghship is forfeited*. Is here no persecution? to force people thus against the

light of their conscience, to sit under the Ministry of them they had no pastoral relation to: and to desert them to whom they were so tied; to hear constantly some that taught *Arminianism*; some that railed against serious Religion: besides the horrid Immoralities of some of them, which made the Ordinances of Christ contemptible to the people: for this Law extended to hearing of such, as well as others. And was it no persecution to enact so severe Fines for such a crime, so as a few Sermons might reduce a rich man to absolute poverty? And did it favour of no persecution, in the Preface to this Act, to declare such abstinence from hearing, to be seditious, when they that were so charged, were as quiet and peaceable as any in the Land? He would excuse the severity of this Act from the *Sermons and Books of some, written to justify the Murder of Charles the First, and the Banishment of Charles the Second, and the Necessity of taking up Arms against the King, and laying out the sinfulness of compliance with the Legal Settlement of Church and State.* *Answer.* If some, whose Spirits were embittered by what they suffered, especially who being banished into foreign Countreys, took more liberty than was fit, and spake or wrote (on some of those Heads) such things: is it reasonable, or can it be freed from spiteful persecution, to charge the whole party with these things, and treat them accordingly; when it could not be, nor was unknown to them, that most of these things were quite contrary to the sentiments and practices of the best, and far greatest part of Presbyterians? And we may with good ground affirm, That the spreading of such principles among the people, above what was at first, was caused by the severities that they suffered: and that these severities had not their rise from them. As for the Murder of King Charles the First, it is well known, that the Presbyterians in Scotland did declare against it, both in their religious and civil capacity.

§. 5. What he next bringeth, of *the open Rebellion of the Western parts, 1666.* (known by the name of *Penland-bills*) was purely the fruit of the horrid Barbarities that that people suffered from Military force, sacking their Houses, and destroying their Livelihood, treating their persons with the greatest Inhumanity, under which they groaned for several years, and had no shelter but in Mountains and in Caves, nor were safe but in such companies as could make resistance: and yet what then was done, was the act but of a few Presbyterians, and therefore could not warrant further severity, nor could be chargeable on all: and on this or some other consideration it was, that they had an Indulgence granted for a time; but it was so contrived as could not answer the necessities of the people, the Ministers being all
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confined to one corner, and the rest of the Nation left destitute ; which made it reasonable for some to use that liberty, that they might serve the Church ; and others to refuse it, that they might be useful in other places where it was not allowed. What is alledged, of *assaulting Ministers, robbing their Houses, wounding them, &c.* much of it was found to be meer forgery, to make that party odious, and to give a colour for further severities ; and what was done (if any thing) was without the knowledge, and with the greatest dislike of the Presbyterians in general : for, indeed, the severities of that time did provoke some to run into these principles and practices that ever since hath been uneasie to the State, and grievous to sober Presbyterians ; some of whom have been as much in hazard from them, as the prelatick Clergy have been ; it is therefore strange, that such things should be pretended to justify the bloody Laws that followed, and which reach even them that were *quiet in the Land.*

§ 6. He next cometh to the Act 1670, wherein the Preface brandeth *Meetings* (tho' they were only for Praying and Preaching) as *Seminaries of Rebellion* (tho' it is well known that Loyalty hath been many times preached in them, and no Sedition nor Rebellion was ever taught, except by the persons above marked) *and for a House-Convencicle, the Minister is Imprisoned, till he pay 175 l. sterling : and must engage to preach no more, or give Bond to leave the Nation, without returning, unless by the King's leave ; others were to pay, an Inheritour of Lands the fourth part of his Rent ; a Servant the fourth part of a Year's Wage ; a Farmer 40 s. sterling ; a Cottar 20 s. If the Meeting were in the Fields, (where yet Christ and his Disciples often preached, and that contrary to the Laws of Men) the Minister was punishable by Death and confiscation of Goods ; and every Hearer, the double of what is above mention'd.* If here be nothing of Persecution, that hearing a Sermon from one that Christ by his Church hath sent to preach, should be bought at such a rate ; and that a few peaceable People, meeting in a corner of a Wilderness, for no other intent, and about no other work, but to hear the Gospel, should take away the Preacher's Life, and the Hearer's Livelihood ; if this, I say, be no Persecution, let the World judge. There might have been some shadow for such severity against meeting with Arms, (tho' even that was in some cases necessary) but that was always disallowed by the soberest and wisest) but when nothing appeared in mens words or behaviour, but that in peace and quietness they were seeking after the food of their Souls, such severity must either be called Persecution, or we have lost the very names of things, and must call Vice, Virtue, and Virtue, Vice.

§ 7. What

§ 7. What he hath owned is sufficient to ruin his Conclusion that he would prove by these Topicks; to wit, That *the Penal Laws against Scotch Presbyterians had no persecution in them*. But it doth further appear how absurd it is, if we consider what he hath wisely suppressed, as ashamed to speak out all the truth. Three things he suppresseth, 1. Some severe Laws. 2. Some Acts of Council or Orders given forth by it, which exceeded all the Severity of the Laws. 3. Execution of these Laws and Orders, beyond what either of them could warrant. For the 1st. in the Act of Parliament, Aug. 13. 1670. it is declared, that if a Minister Preach, Expound Scripture, or Pray in a House where there be more persons than the House contains, (it is not said, than the House can contain) so as some be without doors, (which might happen without the Ministers or Peoples knowledge, after the work is begun, or by the Malice of some who might stand without doors on purpose to ensnare those within) it is declared to be a Field-Conventicle: and consequently the Minister is liable to death, when he doth his best, so far to conform to the Law as to shun that hazard, and the People are liable to forfeit the double of what in reason they could expect. By the same Act, the Lives of them that so meet are exposed to the mercy of their most malicious Enemies: for not only a Reward is proposed to any who will (tho' without Warrant or Order of Law) seize and secure any at such a Meeting, but they are indemnified for any slaughter that they shall commit in the apprehending and securing of them. Nothing but the restraining power of God hath preserved the Lives of many thousands, who were so (by this Man's Innocent Laws) exposed to the will of an ungodly, and merciless Crew. Afterward an Act was made, declaring, that not only Field, but House-Conventicles, should infer the pain of Death to the Minister, and that a Field-Conventicle should be death to all present, Minister and Hearers, 1685. May 8. It is by another Act, 1672. declared, that where-ever a Minister, not allowed by a Bishop, or licensed by the Council, doth preach and expound Scripture, or pray in his own House, where more persons are present than four, beside the Family, or in any Family that is not his own, tho' none should be present but the Family, that it is a Conventicle. And comparing this with the above-mention'd Act, a Minister loseth his Life by Law, if he pray in a Family where he happeneth to lodge a night out of his own House. Likewise, Anno 1685. Act 4. any who refuse to witness (that is, to be an accuser of the Brethren, the Devil's work) about House or Field-Conventicles, or Church-Disorders, are to suffer as guilty of these Crimes themselves; that is, to suffer death: and thus the Wife or Child, must either contribute to take away the Life of her Husband or Father, or lay down their

their own Life. Also A^ct 8. of the same Year, it is declared Treason to own the *Covenant* as Lawful, or Obligatory, though we had sworn it, and many being questioned about the Obligation of it, behoved either to Perjure themselves, or suffer death from the hands of Bloody Men. And A^ct 6. Husbands who complied with the Laws (unless they were also judged by the Council to be Loyal (which no Man could expect unless he were throughly Episcopall, to say no worse) must be fined for their Wives non-compliance, which put Men on this sore *Dilemma*, either unnaturally to put force on his Wives Conscience (which may be he could not Command) or be undone. Beside this (which is the second thing above-mentioned) it cannot be denied that the Privy-Council gave Order not only to Officers of the Army, but to every private Souldier, empowering them when they met any Person on the High-way, to examine them whether they were coming from or going to a Conventicle: And if they would not by Oath clear themselves, they were allowed to take from them their upper Garment. Yea, afterward the Officers (I know not whether the Souldiers had that Power) were warranted to kill whomever they met with, who should refuse to give them satisfaction about abjuring the *Sanguinair Declaration*. It is true, sober Men did not refuse to take that Abjuration; but it was an unparallel'd A^ct, to commit the lives of Men to Souldiers, to kill at their pleasure Men living in Peace, and going about their Lawful Employments, without proof of a Crime, or due course of Law. *August 3. 1682.* Major *White* in many Counties, and the Laird of *Meldrum*, a Captain of Horse, in other Counties, are empowered to act as Sheriffs (tho' the ordinary Sheriffs and their Deputies were executing the Laws) and to keep Justice Courts; so that the Lives and Fortunes of People were at the mercy of these two Souldiers. *Sept. 9.* the Laird of *Claverhouse* (a Souldier) is empowred to put the Laws in Execution against withdrawers from the Church. A Commission for judging and executing the Laws, even to death, is given to *Crawford* of *Ardmillan*, *Novemb. 9* and *16* days the like to the E. of *Linlithgow*. I conclude with what is wisely observed by the Prince of *Orange* (now our Gracious Sovereign) in his Declaration for *Scotland*, about Imprisonments without cause alledged, forcing many to swear against themselves, imposing Arbitrary Fines, intercommunings on the slenderest pretences, making Men incur the danger of Life and Fortune for most innocent converse with their Relations outlawed, of which the Counsellors themselves were guilty, and behoved to procure Pardons. By empowering Souldiers to act the greatest Barbarity on Persons living in quiet, hanging, drowning, or shooting, without any course of Law.

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The Third thing is, That the Execution did exceed both the Laws and Orders of Council, Multitudes of Instances may (and I hope ere long will) be given of Men pistoll'd, or hanged in cold Blood, by the Highway, on the Fields about their Work, or drag'd out of their own Houses, because they refused to declare their Opinion of the *Murder of the Arch-Bishop of St. Andrews*: Of the *Insurrection at Pentland and Bothwell-Bridge*, or of the *Covenant*. It is true, it doth not reflect on the Laws, but it sheweth what spirit they were of who made them, in that they employed such Men, and did not punish them for such Facts, but rather countenanced them.

§. 8. He cometh now to his Conclusion, to clear the Laws from Persecution: And here he addeth some Considerations that he taketh for Argumentative: As that *three Rebellions were raised in the space of 23 Years*. But if these Rebellions were the Effects, rather than the Causes of that Severity (as indeed they were) then his Argument is inconcludent. That it was so with the former two I have observed before; for the third, it may be he is not ignorant how it was influenced by that unparallel'd and ridiculous (but that it was on a mournful Subject) Libel wyer-drawn against that Noble Earl that was the Head of that Insurrection, making him guilty of *Leefing-making*, and lyable to Death for what unbyass'd Men, and even some of his Enemies, judg'd to be below the least of Crimes. He saith, *none ever suffered for mere Separation, but in Purse*: But is it not Persecution to be turned out of a Man's Livelyhood, and made a Beggar for worshipping God? He saith likewise, That *none suffered that way but such as came to Church to save their Money, notwithstanding of pretended scruple of Conscience*. This is spoken at random; many suffered sadly for Conventicles, who did not so comply: And I am bold to say, he knoweth the contrary of what he here affirmeth. He will have his Conclusion to stand, *Unless we will derogate from the Authority of King and Parliament*. That is a mistake: We question the Justice of their Laws, not their Authority to make Laws. We may say, *Nero and Domitian* were Persecutors, without questioning whether they were Lawful Emperors.

QUEST. VI.

IT may be observed from this Author's Conduct in his Pamphlet, what it is to be shew'd in bold averring of what all the World knoweth to be manifest untruths: Some by boldness and frequency in telling Lies, have come at last to believe them as Truths; what else could make him propose this Question, and answer it Negatively?

Whether

Whether the Episcopal Clergy in Scotland from the Year 1662. to the Year 1686. shewed any thing of the Spirit of Persecution against Presbyterians?

We affirm that they did; He denyeth it. To prove what we assert, we might bring a Volume of Historical instances, which now to adduce, should swell this Paper to an undue bigness, and would anticipate what it is like will be amply performed in the History of the late Times: A few things I hope will not be denied by any Impartial Person that knoweth *Scottish Affairs*; and will be sufficient to evince what we hold in this: One is, the Bishops of this Church sat in Parliament when the above-mentioned Laws were made; did any of them either Reason or Vote against any one of them? Yea, it is known that they were active Promoters of them; yea, our Author denyeth not their *consenting and advising to them*, tho' he will not own their *being the first Movers of them*. The former is enough to our purpose, and the latter is rationally suspected, both from the active influence that some of them had in the Government, and from the spite that on all occasions they shewed against Men of our way. Another Evidence of this is, the Church-men in their Publick Sermons did frequently inflame both the Magistrates and Souldiers to execute the Laws against Dissenters; and helped them by Direction, Intelligence, and all the ways that they could, as thousands of Instances might make appear. A Note of a Sermon was much talked of, wherein the Judges of Assize, or Circuit-Court, (before whom it was preached) were advised to *dye their Scarlet Robes yet more red in the Blood of these Men*. Again, it is known that the Ministers were the Informers against such as did not comply with the Laws. It is true, this was enjoined them by the Rulers: But conscientious Men would not have persecuted them that feared the Lord, at the Command of Men: whereas most of them gave ready, cheerful, and forward Obedience to these Injunctions. He speaketh of some of them *who did not, but were chid by the Judges*: And we confess, they were not all Persecutors, but many, yea, the far greatest part were.

§. 2. Now what hath he to say for vindicating the Clergy from this Imputation? He telleth us, *The Clergy never Addressed the King for punishing the Presbyterians*. A goodly Apology! as if there were no other way of compassing such a malicious Design save this one. Next, *The inferiour Clergy did not obey the Order for Informing*. This is answered: Most did, and but a few refused. He talketh of *Bishops shewing Acts of Charity, in relieving the Necessities of Presbyterians, and mitigating the Penalties of the Law when it was in their power, and that the particulars of this might swell his Paper to a great bulk*. Answer. These Acts it seems were very secretly done; neither the man's own left Hand, nor the Observation of others could discern them. If some acts of Charity were done to some in distress, it is no more than what some Oppressors have done, first made People poor, by taking a pound from them, and then relieved them by giving a penny: notwithstanding any who have given a Cup of cold Water to Sufferers, shall not want their Reward from the Lord, nor their Commendation from us. That *private and publick witnessing against Schism was all that the inferiour Clergy did against Dissenters*, is so false an Assertion, as nothing can be more false.

QUEST. VII.

Whether the Episcopal Church of Scotland were compliers with the Designs for taking away the Penal Law against the Papists.

HE will here vindicate his own Church from this blame, and in the next Question, throw it on the Presbyterians ; both of them with a like truth and candor. We are far from charging all the Episcopal Party in this matter, especially *the Church diffusive*, which he saith *was represented in Parliament*. We know these Patriots did worthily in opposing that ill and dangerous Design ; but we will not own, that all that sat in that honourable Assembly were Episcopal ; however, they went a further length in complying with it than some have freedom to do. Not a few of them, we hope, will now shew, and have shewed, that that way was not their choice : for the Bishops, he seemeth not to deny, that two of the fourteen were for it ; and it is well known how far these two (and they were the two Heads, the Archbishops) appeared for it, both in Council, and Parliament : and that *two were dissuade, yea, and appeared against this design*, we deny not : but can he say, that the rest appeared against it in Parliament, when they had the fairest opportunity, and were in a special manner called to it. For the inferior Clergy, he will have them all innocent in this matter, because *they preached against the Doctrins of Popery ; that they prayed for the Protestants in France ; and other appearances they made against Popery*. None of these things we deny ; nor do we envy them their due praise on this account, yet two things are to be considered ; one is, That it was but the practice of some. It is well known how many were finfully and shamefully silent ; and others, who were bold to speak, were checkt by their Bishops for it. The other is, That it is very consistent to be against the Doctrins of Popery, and yet to be for a Toleration to them, and against their being under the hazard of Penal Laws for their Religion : Whence I infer, That his Conclusion doth no way follow from his Premisses.

§ 2. The Zeal that some of the Prelatists shew'd for continuance of the Penal Laws, might be considered, either with respect to Papists, or to Protestant Dissenters, who might have ease by the removal of these Laws : the former part of their Zeal was laudable ; not the latter : which of them did preponderate, we are left to guess : and may be helped in this guess, by a commune principle, that many of them (I say not all) have expressed ; That *they had far rather that Popery should prevail than Presbytery* : and the actions of the chief men, and of the most part of them, do correspond with this principle at this day. What are the sentiments of the Prelatists in Scotland, about taking off the Penal Laws against Papists, may be manifestly gathered, (unless we will abandon all argumentation and the rational inference of one thing from another) if we consider what our prelatical Parliaments have declared ; what the Archbishops and Bishops in their Letter to K. James, Nov. 3. 1688. have with much flattery said ; and what the University of St. Andrews, in their Address to that same King have published, partly of their adherence to him, while the subversion of our Laws and Religion was not secretly, but visibly carrying on ; partly of that absolute, irresistible and despotick Power that they ascribe to him ; for if he have such power to do what he will, and if he was for taking off the force of these Laws, (as they cannot once question) how is it consistent with that

that unlimited obedience that they owe to such a Monarch, that they should not be also for removing them?

QUEST. VIII.

Whether the Scotch Presbyterians were compliers with the Designs for taking away the penal Laws against Papists?

HE affirmeth it: We deny it: But in this, that Scripture is fulfilled, *Psal. 55. 3.*

They cast inquiry upon me, and in wrath they hate me. Nothing in this Book hath less semblance of truth, and more evidence of spite than this. And in nothing the unfaithfulness of his Party, and the integrity of the Presbyterians, did more appear, than in the stir that was about taking off these Penal Laws: for his party had no inducement to be for removing them, except to please the King, and to advance Popery: but the Presbyterians (especially the Ministers) were under the strongest temptations imaginable to shew themselves so inclined, not only to gain the favour of the Court, the want of which had been so heavy to them: but also because they were to share in the ease from heavy persecution, which these Laws had brought on them, and on them only; (for these Laws were severely executed against them, but not against the Papists) and above all this, every Presbyterian Minister in Scotland was liable to death by these Laws: none had observed them, and they might rationally expect, that the Court, being provoked by their appearing for their continuance, might cause them to be executed with rigour upon them; notwithstanding of all this, they took their lives in their hands, and as they had occasion shewed themselves against taking off the Penal Laws against Papists, merely out of conscience, and out of zeal against Popery: whereas the other Party were not so faithful, as was above shewed. Their Reasonings against it on all occasions, and their dealing about it with Members of Parliament, are well known, besides more publick witnessing against it, as they had occasion. Neither can it be made appear (for any thing that I could ever learn) that any one Minister of our way was of another sentiment: and for others, two or three, or a very few instances of many thousands, is all that can be given.

§ 2. To prove his Conclusion, viz. That the Presbyterians were for taking away the Penal Laws against Papists, he bringeth two Arguments, which a man pretending to reason, might be ashamed to use: The first is, *They accepted, and gave thanks for the Indulgence, notwithstanding that they knew that all the designs of Courts were for advancing of Popery.* Answer. They accepted an Indulgence for themselves, and gave thanks for that alone: which was their due by Christ's grant, and which had injuriously been withheld from them: but that to the Papists, they were no further concern'd in, than to lament it; which they did: and witnessed against it as they had occasion: For the designs of the Court, it was not their part to consider them, further than to endeavour to disappoint them; which they did to the uttermost of their power, both by warning and principling the people against Popery: and also by doing what they could to keep the Laws standing in force against Papists. It had been a strange thing, if they should have been backward to preach and hear the Gospel, when a door was opened for it, because some men had a design against the Gospel in their opening of it. Surely their si-

lence and peevish refusing on that occasion had been much to the hurt of the Gospel, for then Papists (who would not fail to use the liberty, for their part) should have had the fairest occasion imaginable to mislead the people, without any to oppose them; on the contrary, their using of the liberty was the great mean by which (with the blessing of the Lord) so very few, during that time of liberty, were perverted to Popery in this Nation: and they that were so drawn away, were none of our party. We have cause to think, that if we had refused to use this liberty, this Man, and his Party, would have lashed us with their tongues for so doing, as they now do for the contrary: for they did so by some, who in former years refused to use a liberty granted; which we all know was designed for the same end. But we expect not that we shall be able to please them, whatever course we take.

§ 3. His second Argument is notoriously false, in all the parts and circumstances of it; and I affirm, that a man that knoweth our affairs shall not find one word of truth in all his long Paragraph that he hath p. 24. That *they were silent against Popery in K. James's time*, is grossly and notoriously false; it is true, some of them thought the best Antidote against liberty for Popery (and other sinful Ways) to be a sound work of grace in the Soul, and engaging people to be seriously religious, and therefore insisted mainly on such subjects: yet did not neglect to instruct people in the controverted points of our Religion, nor to hold forth the evil and danger of Popery in particular. For what he saith of the Reverend and Worthy Dr. *Hardy*, who preached faithfully against Popery, that *his Brethren either blamed him, or disowned him*, is most false; they did often visit him in the Prison, which I had from his own mouth; that Episcopal Advocates and Judges pleaded for him and acquitted him, was no more but what the one ought to do for their Hire, and the other were bound to by their Places: they acquitted an innocent man when no crime was proved against him.

QUEST. IX.

Whether Scottish Presbytery in the Church, be consistent with the Legal Monarchy in that Kingdom?

IF this Author knew us, he would not move this Question, and if he did not hate us, and not resolved to say *all manner of evil against us*, right or wrong, he would not (as he doth) resolve it in the Negative. We have no other proofs of the falshood of what he asserteth, but 1. Experience; which sheweth that in many Ages (in which Presbytery hath had place in this Kingdom, as hath been shewed above) it did well consist with the legal Monarchy of it. And 2. that he (nor none else) cannot shew what principle of Presbyterian Government, nor what practice of Presbyterians (that is commune to them all, or generally) is inconsistent with Monarchical Government, as it hath been by Law owned in this Nation. We deny not but there have been some things acted by men of our Principles, in their Zeal for Religion, which we do resolve not to imitate; and tho' we can clear them from that degree of blame that the malice of their enemies casteth on them, and particularly from being no friends to Monarchy, and unfaithful to their Kings; yet we hope the excesses that have been in former Ages, while both parties were overheated in their contentings, will be a mean to teach more *moderation* to this and following Generations. Let us then hear what he hath to say for this his most absurd,

absurd, malicious, and false Position. After I have told the Reader, that the only thing that can with any shew give rise to such an apprehension, is, that Presbyterians, being generally the more conscientious part of the Nation, could not comply with the lusts of some of their Rulers, nor subject the interest of Religion to their will, while others were ready to abandon Law, Religion, and Reason, to please Men : who, in recompence of this, did exalt them above their Brethren.

§ 2. What he asserteth he offereth to prove, from the opposition of the *Covenant* to Acts of *Parliament*, the latter giving to the King what the former taketh from him. The first thing that he bringeth as an instance of this is, That *Par. 1. ch. 2.*

Act 2. is in the King's prerogative to chuse Officers of State, Counsellors, Judges ; but the Covenant maketh this the prerogative of the Kirk, in that Art. 4. we swear to discover evil instruments, that they may be brought to tryal ; and confirmeth it, that Anno 1648. it is asserted by the Church, that Duties between King and Subjects are the subject of Ministerial Doctrine, (for what he saith, that the Kirk must be as infallible in this as at Rome ; I pass it as the froth of a malicious mind, void of reason). *A. 1.* These passages were 20 or some fewer years before the Act of Parliament cited : how then can they be charged as taking from the King what he had not by those Acts for so many years after ? But this is but a small escape in this learned Writer. 2. Will any man of sense say, that the power of chusing Officers is taken from the King, because Subjects are obliged to discover and complain of ill men, or because Churchmen may tell Kings and Subjects their duties ?

such reasonings are to be hissed at, not answered : Hath a man lost the privilege of chusing his own servant, because his son may tell him he hath hired a very bad man ? Another Argument he bringeth is yet more ridiculous : *It is the King's prerogative to call Parliaments ; but Scotch Presbyterians hold, that the power of calling Assemblies, doth not flow immediately from the King, but from Christ.* *Ans.* *Baculus est in angulo ergo petrus stat,* is just as concludent : What affinity is there between the King's power of calling Parliaments, and the Churches having no power to call Assemblies for Religious Matters ? We deny not power to the King even to call Church-Assemblies ; neither will we call any in contempt of the Magistrate ; but we maintain, that the Church hath from Christ an intrinsick power to convene about his Matters, tho' the Magistrate should neglect to call them : but we confidently deny that the Church of Scotland ever did (or thought it fit to be done) call an Assembly without the authority of their King, where he was a friend to true Religion. Let him shew us what Magistrate called the Council that is mentioned *Acts 15.* Another Argument he taketh from the King's power of dissolving Parliaments, inconsistent with which, he saith, is the 2d Article of the Covenant, (he should have said the 3d Article) where we bind to maintain the privileges of Parliaments ; one of which is, the General Assembly, 1648. declareth against the Negative Vote in Parliament. *Ans.* Could any other-man have made such an inference, unless Presbyterians had declared that it is not in the King's power to dissolve a Parliament, but they may sit as long as they will : which never was said, nor imagined ; for the General Assembly, 1648. denying to the King a Negative Vote in Parliament : this doth not concern the sitting of the Parliament, but the validity of their decisions while they sit ; also they say very little to this purpose, only in their Declaration, July 31. they say, *that they see not how the privileges of Parliaments, and the King's Negative Vote can consist ;* I with

this

this had been left to the cognition of Politicians. But what the Assembly there says, was not their sentiment only, but of the Parliaments both of *England* and *Scotland* at that time; so that his inference is no better against *Scotch* Presbytery, than if he had asserted the inconsistency of Parliaments in both Nations with the Legal Monarchy. That was a time when Debates about Prerogative and Privilege had issued in a bloody War; the result of which was the ruin of both: Whereas now the King's Prerogative and the the Priviledges of Parliament being settled and acknowledged, and the King's Negative Voice owned by all, none do more chearfully submit to the Legal Establishment in these things than the Presbyterians do.

§. 3. He saith, *The Covenant depriveth the King of the power of making Laws, because Covenanters swear to continue in the Covenant all their days against all opposition.* A goodly Consequence indeed: We swear not to obey sinful Laws; ergo, the King and Parliament may make no Laws at all. What he alledgeth in further proof, *That the Assembly July 28. 1648. declared against an Act of Parliament & Committee of Estates, dated in June the same Year, and in general against all others made in the Common Cause without consent of the Church,* is as little to the purpose: For it is not the same thing to declare the Laws of Christ condemning the sinful Laws of Men, and to affirm, that Men may make no Laws without the Churches consent; neither will we plead for every thing that hath been acted. Notwithstanding I hope Presbyterians will learn to give all due deference to the Publick Acts of the State, even when they cannot comply nor give obedience to them. He further Argueth, *That they deny to the King the Prerogative of making Leagues and Conventions of the Subjects, because the Covenant was taken without the King.* This was no Act of Presbyterian Government, but an Act of the Estates of *Scotland*, of all Ranks; and this they thought to be necessary for securing of their Religion from Popish Adversaries, who designed to overturn it, as afterward appeared, when the Design was more ripe, and it was fit to bring it more above board. He proveth also that *Scotch* Presbyterians are against this Prerogative of the King, because *June 3. 1648. The Assembly declares against the Bond subscribed by the Scotch Lords at Oxford, and inflicts the biggest Ecclesiastical Censures against them, and such as had a hand in it.* *Ans.* Sure he could not obtrude this on the belief of any, unless he had been confident that what he saith would never be examined: For in that Act of the Assembly there is nothing like condemning the King's calling his Subjects together; but their condemning of a wicked Act that some of them (being but in a private capacity) did when they were together. For this Bond was not framed nor signed by any Parliament, or other Representative of the Nation, called by the King, but by a few Lords sojourning out of the Nation, who met and condemned what was done at home by the Representatives of the whole Nation. This Bond was sent to the Assembly by the Convention of Estates of the Nation, as the Act it self saith, that the Assembly might give their Opinion about it; and they declared the wickedness of it, and appointed Church-censures against the guilty: What is there in all this that is derogatory from the King's Prerogative of Convening his Subjects?

§. 4. His last Effort to prove the inconsistency of Monarchy and Presbytery is, *That the Presbyterians deny the King's Prerogative of making Peace and War: Which he proveth, because the Assembly 1645. Feb. 12. declares them guilty of sin, and censurable, who did not contribute to carry on the War.* *Ans.* All that the Church

Church did in this was, That in a solemn warning to all the People of all Ranks, for convincing them of sin, and pointing out their Duty to them, among other Duties, such as Repentance, Reformation, &c. they held it forth as a Duty for People to obey the Orders of the Estates of Parliament, toward their own Defence when a bloody Army of barbarous *Irish-men* was in their Bowels. If this his Argument can cast any blame on Presbyterians, 'tis this, that there are cases in which they allow the States and Body of the Nation to resist the King so far, as to hinder him to root out the Religion that is by Law established among them: And one should think that he might have been by this time convinced that this is not peculiar to Presbyterians, but that all the Protestants in *Britain* are engaged in the same thing. Nor can Papists reproach Protestants with it, for their Principles runneth yet higher.

QUEST. X.

HE hath said so much to little purpose, he is now come to his last Effort, which doth evidently shew a fainting Cause, but strong and growing Confidence: For he Quereth,

Whether Scottish Presbytery be agreeable to the general Inclinations of that People?


This he denyeth; we affirm it, and with the matter could be put to the Poll among them that are sober, and that do any way concern themselves in Religion: We do not grudge them a multitude of debauched Persons, who hate Presbytery, as the Curb of their Lusts, and love the other way, under which they might be as bad as they would, without a check; tho' others could not be so good as they should without Persecution, or being discountenanced: tho' there want not a great many even of such that never liked Prelacy, tho' they could comply with it. Let us also set aside a sort of Men, who had their dependence on the Court, or on the Prelates, and could advance their Interests that way. Let us seclude also from this reckoning, the Popishly affected, who were but Protestants in Masquerade; and tho' we deny not, that there may be found both among the Ministers and People some sober and religious Persons, who are conscientiously for Prelacy, yet these are so few in *Scotland* (and were much fewer before 1662. since which time some have been bred to it) that not one of many hundreds or thousands is to be found; and it hath been in all Ages (out of Popery) seen, that so strong and universal is the inclination of People against Prelacy, that it never was brought in but by force and fraud, and never had long peaceable possession in this Nation: So that it is well known, that not a few wise Men in the Parliament, who have no Zeal for Presbytery it self, yet are for its being settled here, as knowing that no other Church-Government can suit the Genius of this People.

§. 2. The Proofs that our Author bringeth for his Assertion are strangely inconsequential; he will not say, That the inclinations of the Nation Representative is for Prelacy, lest he be found guilty of *Leasing-making*, a Crime that he often talketh of, and it seems hath well studied, and may be sometime strained his Wit about; but he will prove it of the body diffusive of the people; and first, of the Nobility, because Presbytery is against Monarchy, and they own it. This is answered. 2. Because they have taken the Test and Declaration. *Ans.* He confesseth some Peers took neither; and they that did take them, did not by that shew their inclination so much, as what they thought fit to comply with, rather than suffer; how many of these,

now

now when there is no force on them, *show that it was not choice, but necessity, that led them that way; and many who seem to make Conscience of these Bonds, yet shew no inclination to the thing that they are bound to, except by the constraint that they have brought themselves under.* The *Gentry* he will also have to be inclined to *Prelacy*, because they have taken the *Test*; which is answered: and because many of them, when liberty was granted, went not to *Meeting-houses*. A silly Argument, for many did go, and most other clave to the former way, because the Law stood for it, and the Meetings seemed to be of uncertain continuance, but how few of them now refuse to hear the *Presbyterians*? The *Test* is still the Argument, the *Burgesses* must be *Episcopal*, because many of them took it. Also, because of the rivers of tears shed at the *Farewel-Sermons* of their *Episcopal Ministers*. O horrid Impudence! *Scotland* knoweth that where one was grieved, multitudes rejoyced, others carried indifferently, at the removal of the few of the men who as yet have been laid aside; for the *Clergy*, we yield him all the gang, except a few, and those of the more sober of them, who declare, that they never liked *Prelacy* as it was established, tho' they thought it Lawful to Preach under it. The ability and worth of the *Presbyterian* Ministers he laboureth to ridicule, but from such Topicks as are fitter to be despised than answered. Our three Commissioners sent to *London*, Anno 1689. (the former three he thinketh not worthy of his notice) he maketh to be the Standard of *Presbyterian* abilities: they are able to abide his censure, and to compete with most of his party; but he might know, that among us many are infirm thro' Age and long Hardships, who are of eminent Abilities; others are fixed in such Charges, where their labour could not be wanted for so long a time: and what he objecteth against them who were sent is of no weight; the first, that he once complyed, is most false: he resisted great Temptations to such compliance, and bare faithful Testimony against it. The second suffered for his Principles in the time of a sad Division in this Church. The third is no obscure Person, tho' unknown to this Pamphleter, from whom, when things went as he wished, good Men hid themselves, as from a Persecutor. We can also yield to him the Universities and Colledge of Justice, as lately stated; seeing none had access to such places but they who were *Episcopal*: For the Physicians, there are not a few worthy Men of that Faculty, who are far from inclinations toward *Prelacy*. It is a new Topick, not often used before, That such a way of Religion is the best, because most of the Physicians and Lawyers are of it: This his Discourse will equally prove that Popery is preferable to Protestantism; for in *France, Italy, Spain, &c.* not the multitude only, but all the Church-men, the Universities, the Physicians and Lawyers are of that way. I conclude this our Debate about the Inclinations of the people of this Nation to *Presbytery*, with an Observation made by the late King *James*, when Duke of *Tork*, and in *Scotland*; hearing of divers persons of Quality, who on their Death-bed called for the Assistance of *Presbyterian* Ministers, and refused others, though they had in their life been either regardless of such Ministers, or persecutors of them, he said, That the *Scots*, in whatever Religion they lived, yet generally they died *Presbyterians*.

F I N I S.

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E R R A T A.

PAGE 4. line 14. dele *exit*, read *hic*. P. 16. l. 29. dele *confitent*, read *inconfitent*. l. 40. dele *will*, read *will*. P. 32. l. 21. *or against Popery*, read *against a Liberty for Popery*. l. 42 for *and not resolved*, read *for and were not resolved*.

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